

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 08, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA and
THE STATE OF WASHINGTON ex
rel. DAVID YAM, M.D., an
individual,

Relators-Plaintiffs,

v.

PROVIDENCE HEALTH &
SERVICES, a Washington non-profit
corporation d/b/a PROVIDENCE ST.
MARY MEDICAL CENTER,

Defendant.

No. 4:20-cv-05004-SMJ

**ORDER GRANTING PLAINTIFFS'
NOTICE OF DISMISSAL
PURSUANT TO FED. R. CIV. P.
41(a)(1) AND STIPULATED
REQUEST TO UNSEAL**

Before the Court is Plaintiffs' Notice of Dismissal of Certain Claims Pursuant to Fed. R. Civ. P. 41(a)(1) and Stipulated Request to Unseal, ECF No. 19. Under Rule 41(a)(1), a plaintiff may voluntarily dismiss an action without a court order by filing (1) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment, or (2) a stipulation of dismissal signed by all parties who have appeared. Here, Defendants have not answered or filed a motion for summary judgment. The Court thus finds Plaintiffs' notice of voluntary dismissal proper under Rule 41(a)(1).

ORDER GRANTING PLAINTIFFS' NOTICE OF DISMISSAL PURSUANT TO
FED. R. CIV. P. 41(a)(1) AND STIPULATED REQUEST TO UNSEAL – 1

Accordingly, **IT IS HEREBY ORDERED:**

1. Plaintiffs' Notice of Dismissal of Certain Claims Pursuant to Fed. R. Civ. P. 41(a)(1) and Stipulated Request to Unseal, **ECF No. 19**, is **GRANTED**.

2. This action is hereby **DISMISSED WITH PREJUDICE** as to Relator.

3. This action is hereby **DISMISSED WITH PREJUDICE** as to the United States and the State of Washington to the extent of the Covered Conduct as defined in the Settlement Agreement between the Parties, and otherwise **WITHOUT PREJUDICE** as to the United States and the State of Washington only.

4. This case shall remain under seal until 11:00 A.M. on Monday, April 11, 2022, at which time this action and all filings and Orders shall be unsealed, except for ECF Nos. 5, 8, 11, and 14, which shall remain under seal.

5. The seal shall be lifted on all matters occurring in this action after the date of this Order.

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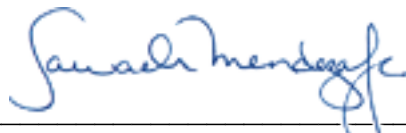
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5 **6.** The Court shall retain jurisdiction to enforce the terms of the
6 Settlement Agreement between the Parties.

7 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and
8 provide copies to all counsel.

9 **DATED** this 8th day of April 2022.

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11 _____
12 SALVADOR MENDOZA, JR.
 United States District Judge